



4. I have been informed that Michael Kulakowski ("Michael"), an employee at WestRock, is suing the company for sexual harassment and is claiming Tommy sexually harassed him. Michael is in the shipping department and works primarily at the fulfillment plant. When I was the Plant Manager, we would talk from time to time but did not work together all that often. I would see Michael here and there when he visited the sheep plant or when I went to the fulfillment center to work on special projects.

5. I had opportunity to witness Tommy and Michael interact in the workplace. From what I observed, they were friends. The two of them would laugh and joke together. I never witnessed Tommy do anything to Michael that was sexual in nature or that would give me any reason to believe he was sexually harassing Michael. Michael never complained to me that he was sexually harassed by Tommy. If he had, I would have told him to report it or reported it myself. As the Plant Manager, employees could make complaints to me. If an employee had reported any harassment to me, I would have forwarded that on to corporate Human Resources or called the Compliance Hotline.

6. We did not have a full-time onsite Human Resources person in Gallatin. Terri Henley ("Terri") was our local Human Resources representative. She covered other WestRock facilities in Tennessee as well. I believe her primary office was in Lewisburg, Tennessee. Melinda McGraw ("Melinda") was our corporate Human Resources representative. If an employee had reported any harassment to me, I would have contacted either Terri or Melinda.

7. WestRock has a Compliance Hotline employees can use to make reports to the corporate office. The Compliance Hotline information is included in the Employee Handbook. Employees are given their own copy of the Employee Handbook. The Compliance Hotline is also posted at the Gallatin facilities and has been for years.

8. Again, Michael never complained to me that Tommy was sexually harassing him. He never complained to me that Tommy was being abusive toward him. He had in the past commented that Tommy was getting on to him and he was tired of the way Tommy was treating him, but this was in response to Tommy getting loud with him over the state of the shipping department. There was nothing about Michael's comment that would lead me to believe he was making a complaint about sexual harassment. It was a situation where Tommy was upset with the way Michael was doing his job and got loud with him.

9. Michael had commented to me that Tommy would hit his hat off and I had witnessed this a couple times. When I saw it, they were both laughing and joking with each other. Michael never indicated that Tommy was abusing him or he thought Tommy's hitting his hat off was an assault of any kind. Michael also told me in passing one or two times that Tommy had hit or kicked him in the groin. I witnessed this myself on one occasion when Tommy sort of flipped his hand back at Michael's groin. While horseplay is a violation of the Code of Conduct and I do not think it is appropriate to do this type of thing, it appeared to me that Tommy and Michael were playing and joking around. Again, I thought they were friends and they seemed to cut up a lot. When I witnessed it, Tommy did not appear to be acting out of anger or aggression. It did not appear as though he was trying to actually hurt Michael. He and Michael were both laughing at the time. There was nothing that led me to believe this was a situation of sexual harassment or assault. It appeared to be two friends messing around. Michael did not seem hurt or upset. The couple times he mentioned other instances in passing, he likewise did not seem angry. The tone of his comment did not lead me to believe he was making a complaint of sexual harassment or assault. He did not ask me for any assistance. He merely made the comment that it had taken place.

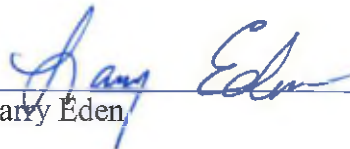
10. If Michael had said anything that led me to believe he was making a complaint of harassment or assault, I would have contacted Human Resources or made a report on the Compliance Hotline so that it could be addressed. He never said anything, however, that led me to believe he was making a complaint of harassment or assault.

11. Even though Tommy's hitting Michael in the groin appeared to be a joke between friends, it was against company policy. The Code of Conduct prohibits horseplay. Corporate management at WestRock would not expect a General Manager to hit employees in the groin or hit them period.

12. No one promised me anything or coerced me in any way to make this declaration. No one has put any pressure on me to say or not say anything whatsoever.

13. In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of January, 2018.

  
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Larry Eden